

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

BELINDA SINGLETERRY, JUAN ANTONIO	§	
SINGLETERRY, ALBERT JACKSON-MUNOZ,	§	
RAMIRO R. RAMIREZ, SYLVIA RAMIREZ,	§	
MELINDA RAMIREZ, ALBERT JACKSON JR.,	§	
JUAN JOSE JACKSON, GRACIELA JACKSON,	§	
ALICIA JACKSON FLORES, JUANITA JACKSON,	§	
JAMIE JACKSON BREON, YOLANDA CASTILLO,	§	
LUIS A. PEREZ, BENILDE DE LA CERDA,	§	
JOSE L. SINGLETERRY, MARGARITO	§	
TORRES JR., MARIA A. TORRES, LUIS	§	
SINGLETERRY JR., FATIMA C. GONZALEZ,	§	
FLORINDO SINGLETERRY JR, AIDA M.	§	
ALEMAN, ARMANDO ALEMAN,	§	
MAGDALENA ALEMAN, ALEJANDRO	§	CIVIL ACTION NO.
ALEMAN, RAQUEL T. LEAL, FILOMENA	§	7:20-cv-00299
REYES SINGLETERRY, HERLINDA	§	
SINGLETERRY, RODOLFO SINGLETERRY,	§	
ADELINA YARRITO, GRISELDA SINGLETERRY,	§	
BENITO DE LEON, ERASMO SINGLETERRY,	§	
MARIA YARRITO FLORES, CONSUELO YARRITO,	§	
AND GINA WISDOM	§	
Plaintiffs	§	
	§	
vs.	§	
	§	
SOUTHWEST VALLEY CONSTRUCTORS, CO.	§	

**PLAINTIFFS' AMENDED EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER**

TO THE HONORABLE JUDGE OF SAID COURT:

Come Now Plaintiffs listed in the above styled and entitled cause number provide notice and are hereby requesting that this Honorable Court, grant a Emergency Motion for

a Temporary Restraining Order against Defendant Southwest Valley Constructors, Co., and in support thereof would show unto the Court the following:

1. A Temporary Restraining Order is necessary to protect Plaintiffs' rights due to the negligent manner in which the Defendant is conducting the construction in close proximity to the Eli Jackson Cemetery and Jackson Ranch Church and Cemetery. Said negligent heavy equipment construction has caused the cemetery ground to suffer fissures, ground settling of Plaintiff's relatives graves, shifting and damage to the burial plots and gravestones at the Eli Jackson Cemetery. There has also been damages to the church building and graves at the Jackson Ranch Church and Cemetery. The ongoing construction is causing further damage to the graves and the Jackson Ranch Church building.
2. There is imminent danger of irreparable harm to Plaintiffs if such construction continues.
3. There is a substantial likelihood that Plaintiffs will prevail on the merits.
4. Issuance of an emergency T.R.O. will not cause a disservice to the public.
5. This motion is based on the following affidavits of Affidavit of Adelina Yarrito, A.1., Affidavit of Ramiro Ramirez, A.2., Affidavit of Margarito Torres Jr., A.3., Affidavit of Yolanda Torres Castillo, A.4., Affidavit of Raquel Torres Leal, A.5., Affidavit of Albert Jackson Jr., A.6., Affidavit of Lauro Albert Jackson Munoz, A.7., Affidavit of Jose Singleterry, A.8., Affidavit of Florindo Singleterry Jr., A.9., Affidavit of Gina Wisdom,

A.10. The affidavits are found in an appendix attached to Memorandum in Support of Plaintiffs' Motion for Temporary Restraining Order that will shortly be filed.

6. Plaintiffs request a Temporary Restraining Order prohibiting any heavy machinery or construction within 500 feet of the Eli Jackson Cemetery and Jackson Ranch Church and Cemetery.
7. In additional support of Plaintiffs' Emergency Motion for Temporary Restraining Order, Plaintiffs will also provide photos, videos, pleadings and other relevant documents in an Appendix to the Memorandum in Support of Plaintiffs' Motion for Temporary Restraining Order that will also be filed.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Plaintiffs' Emergency Motion for a Temporary Restraining Order were filed and served upon opposing counsel in accordance with the Federal Rules of Civil Procedure, E.C.F. on January 11, 2020, specifically to:

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/s/ Samuel Reyes
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